



Order Filed on January 26,
2018 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

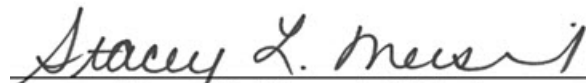
Margarita Cespedes,
Debtor.

Case No.: 17-30633-SLM
Chapter: 13
Hearing Date: January 24, 2018
Judge: Stacey L. Meisel

ORDER DENYING MOTION WITHOUT PREJUDICE

The relief set forth on the following pages, numbered two (2) through 2 is
ORDERED.

DATED: January 26, 2018


Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtor: Margarita Cespedes
Case No.: 17-30633-SLM
Caption of Order: Order Denying Motion Without Prejudice

THIS MATTER having been brought before the Court on a *Amended Motion to Reinstate the Case and Grant In Rem Relief from Stay* (Docket No. 19) (“**Motion**”) by Creditor CIT Bank, N.A., fka OneWest Bank, N.A., fka OneWest Bank, FSB, by and through its counsel, Brian C. Nicholas, Esq., this Court finds:

WHEREAS the Motion is deficient for the following reason(s):

- ☐ **Failure to use required Local Forms.** *See* D.N.J. LBR 9009-1.
- ☒ **Failure to follow the requirements of Local Rule 9013-1, specifically:**
 - ☐ **Failure to submit a notice of motion stating the date, time, and place of the hearing.** *See* D.N.J. LBR 9013-1(a)(1).
 - ☒ **Failure to submit a certification containing the facts supporting the relief requested in compliance with D.N.J. LBR 7007-1.** *See* D.N.J. LBR 9013-1(a)(2).
 - ☒ **Failure to submit a memorandum of law stating the legal basis for the relief requested, or a statement why a memorandum of law is unnecessary.** *See* D.N.J. LBR 9013-1(a)(3).
 - ☐ **Failure to submit a proposed form of order.** *See* D.N.J. LBR 9013-4.
 - ☐ **Failure to file a certification of service.** *See* D.N.J. LBR 9013-1(a)(5) and Local Form.
- ☐ **Failure to effectuate proper service.** *See* D.N.J. LBR 5005-1, Fed. R. Bankr. P. 9014, and Fed. R. Bankr. P. 7004 as well as the Register of Governmental Units available on the Court’s website. Specifically, Movant failed to serve the subject creditor at the address listed on the Proof of Claim for receipt of notices pursuant to Fed. R. Bankr. P. 3007.
- ☐ **Other:**

It is hereby

ORDERED that the Motion is DENIED, without prejudice.